

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DENNIS DIMON,)	
)	
Plaintiff,)	
)	
v.)	
)	C. A. No: 05-11073 NG
METROPOLITAN LIFE)	
INSURANCE COMPANY, KEMPER)	
INSURANCE COMPANY,)	
)	
Defendants.)	

**METROPOLITAN LIFE INSURANCE COMPANY'S
MOTION FOR LEAVE TO FILE A SUR-REPLY**

Metropolitan Life Insurance Company ("MetLife") hereby moves for leave to file a Sur-Reply to Kemper's Reply to Dennis Dimon's and MetLife's Opposition to Kemper's Motion for Reconsideration.

Additional briefing is required because Kemper raised issues in its proposed Reply Brief to which MetLife should have an opportunity to respond.

WHEREFORE, MetLife respectfully requests that this Honorable allow it to file a Sur-Reply to Kemper's Reply to the Oppositions to its Motion for Reconsideration of

the January 31, 2008 Memorandum and Order.

Defendant,
Metropolitan Life Insurance
Company,
By its Attorneys,

/s/ James J. Ciapciak
James J. Ciapciak, BBO # 552328
Peter LeBlanc, BBO # 645305
CIAPCIAK & ASSOCIATES, P.C.
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing document was served upon Counsel of Record on March 7, 2008.

/s/ James J. Ciapciak
James J. Ciapciak

LOCAL RULE 7.1 CERTIFICATE OF CONSULTATION

I hereby certify that on March 7, 2008, we conferred with opposing counsel in an attempt to narrow the issues presented by this Motion.

/s/ James J. Ciapciak
James J. Ciapciak